Appl No.: 10/595,529 Amdt. Dated: June 29, 2009

Reply to Office Action of May 7, 2009

# Remarks for Substitute Drawings:

Enclosed herewith are replacement sheets of substitute drawings in accordance with 37 C.F.R. §§ 1.81, 1.83, and 1.84. The substitute drawings are provided to indicate that FIG. 1 illustrates prior art. It is requested that these new drawings be substituted for the originally filed drawings.

#### REMARKS

Applicant thanks the Examiner for review of the present application.

The Office Action objects to the drawings and specification and rejects Claim 10 under 35 U.S.C. § 112, second paragraph.

Applicant has amended drawings, specification, and claims, respectfully submits that the objections and rejections of the Office Action are all overcome and should be withdrawn for at least the following reasons, and requests allowance of the present application.

### Interview Summary

Applicant appreciates the opportunity for attorney Chris Gegg to conduct an interview with Ex.

Tweel on June 29, 2009, regarding the status of the application and amendments to Claim 10. Ex. Tweel and

Mr. Gegg primarily discussed amendments to Claim 10 to provide further antecedent basis for the phase lock
loop synthesiser, in addition to the direct digital synthesiser. Ex. Tweel and Mr. Gegg also briefly discussed
the status of the objections to the drawings and specification.

### Drawing Objection

Applicant has amended FIG. 1 to indicate illustration of prior art.

## Specification Objections

Applicant has amended three paragraphs of the Specifications to address the objections identified in the Office Action.

## Rejections Under 35 U.S.C. § 112, Second Paragraph

Applicant has amended Claim 10 to provide antecedent basis for the phase lock loop synthesiser and the direct digital synthesiser, as well as to re-order the phase lock loop synthesiser reference frequency phrase as "reference frequency of a phase lock loop synthesiser" to more clearly recite the elements of Claim 10. Applicant submits that these amendments overcome the § 112, second paragraph rejection of Claim 10. Withdrawal of the rejection and reconsideration for allowance of the claims is, therefore, respectfully requested.

#### Conclusion

In view of the foregoing comments, Applicant submits that all of the pending claims of the present application, as amended, are in condition for allowance. It is therefore respectfully requested that a Notice of

Appl No.: 10/595,529 Amdt. Dated: June 29, 2009

Reply to Office Action of May 7, 2009

Allowance be issued. The Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

Christopher J. Gegg Registration No. 50,857

Telephone No. 704-444-1024 CUSTOMER No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryno Street, Suite 4000 Charlotte, NC 28280-4000 Tel Charlotte Office (704) 444-11010 Fax Charlotte Office (704) 444-1111

LEGAL02/31383939v1

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON JUNE 29, 2009.